

## **EXHIBIT 3**



February 15, 2005

## Technology Briefing | Software: Ariba Settles Patent Suit With Eplus

The business software maker Ariba said yesterday that it would pay a less-than-expected \$37 million to settle a patent lawsuit with a rival, ePlus, sending its shares up 16 percent. Meanwhile, shares of ePlus fell about 15 percent as it posted a 38 percent decline in its quarterly profit, citing customer uncertainty surrounding the lawsuit. The two companies compete in the market for software that helps corporate customers find the best suppliers and cheapest raw materials, and Ariba is seen as the leading player. Last week, a federal jury found that Ariba infringed on three patents held by ePlus, which had sought royalty damages of \$76 million to \$98 million. Ariba said it would pay the \$37 million settlement in the current quarter. Ariba, once a high-flying Internet stock, lost almost half its value this year before the settlement. The company reported disappointing quarterly results on Jan. 31, and the lawsuit has hung over the stock since May. Ariba also struck a licensing agreement with ePlus so that its customers will not be affected. Ariba was not immediately available for comment on the specifics of the royalty payment. EPlus said profit fell to \$1.6 million, or 17 cents a share, in the third quarter that ended on Dec. 31 from \$2.6 million, or 26 cents a share, a year earlier. Revenue rose 85 percent to \$147.7 million, but costs ballooned in the period. EPlus shares fell \$2.38, to \$13.21. Ariba shares climbed \$1.36, to \$9.63.

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